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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/709,993	11/10/2000	Matthew Brown	1160215-0503576	4667
26874	7590	09/08/2006	EXAMINER	
FROST BROWN TODD, LLC 2200 PNC CENTER 201 E. FIFTH STREET CINCINNATI, OH 45202			GRAHAM, CLEMENT B	
			ART UNIT	PAPER NUMBER
			3628	

DATE MAILED: 09/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/709,993	Applicant(s) BROWN ET AL.	
	Examiner Clement B. Graham	Art Unit 3628	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 12 September 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 13, 15-21, 23-29, 31-34, 36-47 and 50-52 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 13, 15-21, 23-29, 31-34, 36-47, and 50-52 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 13, 15-21, 23-29, 31-34, 36-47, and 50-52, remained pending in this application and claims 14, 22, 30, 35, 48-49 has been cancelled.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 13, 15-21, 23-29, 31-34, 36-47, and 50-52, are rejected under under 35 U.S.C. 102(b) as being anticipated by Savage et al(Hereinafter Savage U.S Pub:2002/0026394A.

As per claim 13, Savage discloses a method in a computer system for providing a customer billing statement for a plurality of different communications services, the method comprising the steps of

(a) using a computer system to perform an act of formatting a customer billing statement to create a formatted billing statement form(see column 0013-0115) the act of formatting comprising the steps of

(i) creating a plurality of statement presentation codes, each statement presentation code comprising one or more attributes for dictating the presentation of transaction information on a customer billing statement, (see column 0013-0115) wherein said attributes comprise:

- (1) a section code,
- (2) a summary line,
- (3) a sorting indication, and

a statement presentation section(see column 0013-0115)

(ii) creating a plurality of user-selected sections, each section having at least one of said statement presentation codes being selected by a user, (iii) creating a plurality of segments, each segment having at least one of said sections(see column 0013-0115)

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- (iv) assigning at least one statement presentation code from said plurality of statement presentation codes to at least one section from said plurality of sections, and
- (v) assigning at least one section from said plurality of sections to each one of said plurality of segments;
- (b) entering billing information relating to a plurality of communications services provided to a customer into said formatted billing statement form in accordance with said segments, said sections, and said statement presentation codes to create a completed billing statement (see column 0013-0115)
- (c) providing said completed billing statement to said customer; and
- (d) allowing a provider of said plurality of communications services to determine a format for customer billing statements relating to said plurality of communications services provided by said communications service provider, wherein the formatting is conducted in accordance with said format. (Note abstract and see column 0013-0115).

As per claim 15, Savage discloses wherein the step of creating a plurality of segments comprises the steps of

- (1) creating a summary segment,
- (2) creating an itemization segment,
- (3) creating a usage detail segment, and
- (4) creating a tax segment. (see column 0013-0115)

16. (previously presented) The method of claim 15, wherein the step of creating a plurality of sections comprises the steps of

- (1) creating a summary line section for said summary segment, (2) creating a plurality of occurrence line sections for said itemization and usage detail segments, and creating a tax line segment for said tax segment. (see column 0013-0115).

As per claim 17, Savage discloses further comprising the step of assigning occurrences to said occurrence line sections in said itemization and said usage details segments. (see column 0013-0115).

As per claim 18, Savage discloses wherein the step of assigning occurrences comprises assigning at least one equipment outlet to at least one of said occurrence line sections. (see column 0013-0115).

As per claim 19, Savage discloses further comprising grouping and presenting information relating to transactions relating to at least two communications services of said plurality of services in one or more segments on the statement. (see column 0013-0115).

As per claim 20, Savage discloses wherein the step of grouping and presenting is completed in accordance with said statement presentation codes.

As per claim 21, Savage discloses wherein the plurality of communications services includes at least two of cable, telephony, video, or data services. (see column 0013-0115).

As per claim 23, Savage discloses further comprising the steps of
(d) grouping together information relating to a plurality of communications services into at least one of said segments or at least one of said sections, and
(e) assigning a statement attribute code to each communications service to represent how said information is to be grouped together. (see column 0013-0115).

As per claim 24, Savage discloses further comprising the steps of
(d) allowing said customer to determine a method of payment for charges relating to each communications service; and
(e) assigning a method of payment code to each communications service to represent the method of payment determined by said customer. (see column 0013-0115).

As per claim 25, Savage discloses 25. (previously presented) A system operable to carry out the steps comprising the method of claim 13. (see column 0013-0115).

As per claim 26, Savage discloses a computer readable medium comprising instructions to perform the method of claim 13. (see column 0013-0115).

As per claim 27, Savage discloses a method in a computer system for providing a customer billing statement for a plurality of different communications services, the method comprising the steps of

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(a) using a computer system to perform an act of formatting a customer billing statement to create a formatted billing statement form, the step of formatting comprising the steps of

(i) creating a plurality of statement presentation codes, each statement presentation code comprising one or more attributes for dictating the presentation of transaction information on a customer billing statement, (ii) creating a plurality of user-selected sections, each section having at least one of said statement presentation codes being selected by a user, (iii) creating a plurality of segments, each segment having at least one of said sections, wherein the step of creating a plurality of segments comprises the steps of

(1) creating a summary segment,

(2) creating an itemization segment

(3) creating a usage detail segment, and

(4) creating a tax segment,

(iv) assigning at least one statement presentation code from said plurality of statement presentation codes to at least one section from said plurality of sections, and

(v) assigning at least one section from said plurality of sections to each one of said plurality of segments(see column 0013-0115)

(b) receiving input representing a preference of a customer for separate billing statements, wherein each of said separate billing statements relates to one or more different communications services provided to said customer(see column 0013-0115).

(c) entering billing information relating to a plurality of services provided to said customer into said formatted billing statement form in accordance with said segments, said sections, said statement presentation codes, and said input to create one or more completed billing statements(see column 0013-0115)

(d) providing said one or more completed billing statements to said customer; and

(e) allowing a provider of said plurality of communications services to determine a format for customer billing statements relating to said plurality of communications services provided by said communications service provider, wherein the formatting is conducted in accordance with said format. (see column 0013-0115).

As per claim 28, Savage discloses further comprising the step of assigning a statement code to each of said communications services to correspond to said input. (see column 0013-0115).

As per claim 29, Savage discloses wherein said attributes comprise:

- (1) a section code,
- (2) a summary line,
- (3) a sorting indication, and
- (4) a statement presentation section. (see column 0013-0115)

31. (currently amended) The method of claim [[30]]27, wherein the step of creating a plurality of sections comprises the steps of

- (1) creating a summary line section for said summary segment, (2) reating a plurality of occurrence line sections for said itemization and usage detail segments, and
 - (3) creating a tax line segment for said tax segment. (see column 0013-0115).
- (see column 0013-0115)

As per claim 32 Savage discloses further comprising the step of assigning occurrences to said occurrence line sections in said itemization and said usage details segments. (see column 0013-0115).

As per claim 33, Savage discloses wherein the step of assigning occurrences comprises assigning at least one equipment outlet to at least one of said occurrence line sections. (see column 0013-0115).

As per claim 34, Savage discloses wherein the plurality of communications services includes at least two of cable, telephony, video, or data services. (see column 0013-0115).

As per claim 36, Savage discloses further comprising the steps of

- (d) grouping together information relating to a plurality of communications services into at least one of said segments or at least one of said sections, and
- (e) assigning a statement attribute code to each communications service to represent how said information is to be grouped together. (see column 0013-0115).

As per claim 37, Savage discloses further comprising the steps of

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- (d) allowing said customer to determine a method of payment for charges relating to each communications service; and
- (e) assigning a method of payment code to each communications service to represent the method of payment determined by said customer. (see column 0013-0115)).

As per claim 38, Savage discloses a system operable to carry out the steps comprising the method of claim 27. (see column 0013-0115).

As per claim 39, Savage discloses a computer readable medium comprising instructions to perform the method of claim 27. (see column 0013-0115).

As per claim 40, Savage discloses a method for providing a customer billing statement for a plurality of different communications services, the method comprising the steps of

- (a) using a computer system to perform an act of formatting a customer billing statement to create a formatted billing statement form(see column 0013-0115) the step of formatting comprising the steps of
 - (i) creating a plurality of statement presentation codes, each statement presentation code comprising one or more attributes for dictating the presentation of transaction information on a customer billing statement, (ii) creating a plurality of user-selected sections, each section having at least one of said statement presentation codes being selected by a user, (iii) creating a plurality of segments, each segment having at least one of said sections(see column 0013-0115)
 - (iv) assigning at least one statement presentation code from said plurality of statement presentation codes to at least one section from said plurality of sections,
 - (v) assigning at least one section from said plurality of sections to each one of said plurality of segments(see column 0013-0115) and
- (b) entering billing information relating to a plurality of communications services provided to a customer into said formatted billing statement form in accordance. with said segments, said sections, and said statement presentation codes to create one or more statement export files(see column 0013-0115)

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(c) providing said one or more statement export files to a print vendor for printing one or more completed billing statements; and

(d) allowing a provider of said plurality of communications services to determine a format for customer billing statements relating to said plurality of communications services provided by said communications service provider, wherein the formatting is conducted in accordance with said format(see column 0013-0115)

(e) grouping together information relating_ to a plurality of communications services into at least one of said segments or at least one of said sections, and assigning a statement attribute code to each communications service to represent how said information is to be grouped together. (see column 0013-0115).

As per claim 41, Savage discloses wherein said attributes comprise:

- (1) a section code,
- (2) a summary line,
- (3) a sorting indication, and
- (4) a statement presentation section. (see column 0013-0115).

As per claim 42, Savage discloses wherein the step of creating a plurality of segments comprises the steps of

- (1) creating a summary segment,
- (2) creating an itemization segment,
- (3) creating a usage detail segment, and
- (4) creating a tax segment. (see column 0013-0115).

As per claim 43, Savage discloses wherein the step of creating a plurality of sections comprises the steps of. (see column 0013-0115)

creating a summary line section for said summary segment, (2) creating a plurality of occurrence line sections for said itemization and usage detail segments, and creating a tax line segment for said tax segment. (see column 0013-0115).

As per claim 44, Savage discloses further comprising the step of assigning occurrences to said occurrence line sections in said itemization and said usage details segments. (see column 0013-0115).

As per claim 45, Savage discloses wherein the step of assigning occurrences comprises assigning at least one equipment outlet to at least one of said occurrence line sections. (see column 0013-0115).

As per claim 46, Savage discloses wherein the step of grouping and presenting is completed in accordance with said statement presentation codes.

As per claim 47, Savage discloses wherein the plurality of communications services includes at least two of cable, telephony, video, or data services. (see column 0013-0115).

As per claim 50, Savage discloses further comprising the steps of:

- (d) allowing said customer to determine a method of payment for charges relating to each communications service; and
- (e) assigning a method of payment code to each communications service to represent the method of payment determined by said customer. (see column 0013-0115).

As per claim 51, Savage discloses A system operable to carry out the steps comprising the method of claim 40. (see column 0013-0115).

As per claim 52, Savage discloses a computer readable medium comprising instructions to perform the method of claim 40. (see column 0013-0115).

RESPONSE TO ARGUMENTS

Conclusion

4. Applicant' argument's filed 9/12/05 has been fully considered but they are moot in view of new grounds of rejections.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clement B Graham whose telephone number is 703-305-1874. The examiner can normally be reached on 7am to 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hyung S. Sough can be reached on 703-308-0505. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-0040 for regular communications and 703-305-0040 for After Final communications.

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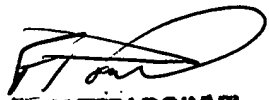
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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

CG

August 29, 2006


FRANTZY POINVIL
PRIMARY EXAMINER
Au 3628